

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
Wheeling

**TISHA DAWN RAINES,**

Petitioner,

v.

**Civil Action No. 5:22-CV-66**  
Judge Bailey

**WARDEN MCCAFFREY,**

Respondent.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The above referenced case is before this Court upon the magistrate judge's recommendation that petitioner's § 2241 petition be denied and dismissed.

This Court is charged with conducting a *de novo* review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). However, absent prompt objection by a dissatisfied party, it appears that Congress did not intend for the district court to review the factual and legal conclusions of the magistrate judge.

*Thomas v. Arn*, 474 U.S. 140 (1985). Additionally, any party who fails to file timely, written objections to the magistrate judge's report pursuant to 28 U.S.C. § 636(b)(1) waives the right to raise those objections at the appellate court level. *United States v. Schronce*, 727 F.2d 91 (4th Cir. 1984), *cert. denied*, 467 U.S. 1208 (1984). No objections have been filed to the magistrate judge's report and recommendation.

Accordingly, a review of the record indicates that the magistrate judge's report

accurately summarizes this case and the applicable law. Therefore, the magistrate judge's report and recommendation is **AFFIRMED**, and petitioner's § 2241 petition [**Doc. 1**] is **DENIED AND DISMISSED**.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to any counsel of record, mail a copy via certified mail to petitioner, and to dismiss this case from the active docket of this Court.

**DATED:** June 28, 2022.



JOHN PRESTON BAILEY  
UNITED STATES DISTRICT JUDGE